

HOUSE . . . . . No. 4467

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The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, June 28, 1999.

The committee on Health Care, to whom was referred the petition (accompanied by bill, Senate, No. 483) of Mark C. Montigny, Bruce E. Tarr, Robert M. Koczera, Stephen F. Lynch and Dianne Wilkerson for legislation to define a community health center and the petition (accompanied by bill, House, No. 1730) of Kevin W. Fitzgerald for legislation to define a "community health center" under certain public health laws of the Commonwealth, reports recommending that the accompanying bill (House, No. 4467) ought to pass.

For the committee,

HARRIETTE L. CHANDLER.

## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Ninety-Nine.

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### AN ACT DEFINING A COMMUNITY HEALTH CENTER.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 51 of chapter 111 of the 1996 Official  
2 Edition of the General Laws is hereby amended by inserting in,  
3 line 5 after the word “mothers” the following words:— “a com-  
4 munity health center.”

1 SECTION 2. Said chapter is further amended by inserting after  
2 section 57D, the following new section:—

3 57E: Community health centers: definition and description of  
4 services; licensing rules and regulations.

5 The department shall, after a public hearing, promulgate rules  
6 and regulations for the licensing and conduct of community health  
7 centers. For the purpose of this section, the following words shall  
8 have the following meanings:—

9 “community health center under independent licensure”, a  
10 clinic which (a) is licensed as a freestanding clinic, by the  
11 Massachusetts department of public health pursuant to section 51  
12 of chapter 111 of the General Laws; (b) meets the qualifications  
13 for certification by the division of medical assistance and enters  
14 into a provider agreement pursuant to 130 CMR 405.000; (c)  
15 operates in conformance with the requirements of 42 U.S.C.,  
16 section 254b; and (d) files cost reports as requested by the divi-  
17 sion of health care finance and policy; (e) notwithstanding the  
18 above, organizations which do not meet the requirements of sec-  
19 tions (a) or (c) above, but have been designated “community  
20 health centers” by both the division of medical assistance and the  
21 division of health care finance and policy prior to January 31,  
22 1999 shall continue to be designated as community health centers  
23 under independent licensure.

24 “community health center under hospital licensure”, a clinic  
25 which provides comprehensive ambulatory services: (a) is  
26 licensed as an outpatient clinic by the Massachusetts department  
27 of public health pursuant to section 51 of chapter 111 of the  
28 General Laws; (b) meets the qualifications for certification by the  
29 division of medical assistance and enters into a provider agree-  
30 ment pursuant to 130 CMR 410.000; and (c) for which said parent  
31 hospital has a formal written relationship with a not-for-profit cor-  
32 poration, the board of which meets the requirements of the sub-  
33 sections (i) and (ii) of section 330(j)(3)(H) of the Public Health  
34 Service Act; (d) notwithstanding the above, clinics which do not  
35 meet the requirements of section (c), above, but which were des-  
36 ignated as “community health centers” by both the division of  
37 medical assistance and the department of public health prior to  
38 September 30, 1998, shall continue to be designated as commu-  
39 nity health centers under hospital licensure.

1 SECTION 3. Section 36 of chapter 118E of the 1996 Official  
2 Edition of the General Laws is hereby amended by inserting in  
3 line 15, after section (5) the following new section:—

4 (6) participation in the program as a community health center  
5 shall be limited to providers which meet the following require-  
6 ments:

7 “community health center under independent licensure”, a  
8 clinic which (a) is licensed as a freestanding clinic by the  
9 Massachusetts department of public health pursuant to section 51  
10 of chapter 111 of the General Laws; (b) meets the qualifications  
11 for certification by the division of medical assistance and enters  
12 into a provider agreement pursuant to 130 CMR 405.000; (c)  
13 operates in conformance with the requirements of 42 U.S.C.,  
14 section 254b, and (d) files cost reports as requested by the divi-  
15 sion of health care finance and policy; (e) notwithstanding the  
16 above, organizations which do not meet the requirements of sec-  
17 tions (a) or (c) above, but have been designated “community  
18 health centers” by both the division of medical assistance and the  
19 division of health care finance and policy prior to January 31,  
20 1999, shall continue to be designated as community health centers  
21 under independent licensure.



22 “community health center under hospital licensure”, a clinic  
23 which provides comprehensive ambulatory services: (a) is  
24 licensed as an outpatient clinic by the Massachusetts department  
25 of public health pursuant to section 51 of chapter 111 of the  
26 General Laws; (b) meets the qualifications for certification by the  
27 division of medical assistance and enters into a provider agree-  
28 ment pursuant to 130 CMR 410.000; and (c) for which said parent  
29 hospital has a formal written relationship with a not-for-profit cor-  
30 poration, the board of which meets the requirements of the sub-  
31 sections (i) and (ii) of section 330(j)(3)(H) of the Public Health  
32 Service Act; (d) notwithstanding the above, clinics which do not  
33 meet the requirements of section (c) above, but which were desig-  
34 nated as “community health centers” by both the division of med-  
35 ical assistance and the department of public health prior to  
36 September 30, 1998, shall continue to be designated as commu-  
37 nity health centers under hospital licensure.

1 SECTION 4. Section 1 of chapter 118G of the 1996 Official  
2 Edition of the General Laws is hereby amended by striking the  
3 definition of “community health center” and inserting in place  
4 thereof the following definitions:—

5 “community health center under independent licensure”, a  
6 clinic which (a) is licensed as a freestanding clinic by the  
7 Massachusetts department of public health pursuant to section 51  
8 of chapter 111 of the General Laws; (b) meets the qualifications  
9 for certification by the division of medical assistance and enters  
10 into a provider agreement pursuant to 130 CMR, 405,000; (c)  
11 operates in conformance with the requirements of 42 U.S.C.,  
12 section 254b; and (d) files cost reports as requested by the divi-  
13 sion of health care finance and policy; (e) notwithstanding the  
14 above, organizations which do not meet the requirements of sec-  
15 tions (a) or (c) above, but have been designated “community  
16 health centers” by both the division of medical assistance and the  
17 division of health care finance and policy prior to January 31,  
18 1999, shall continue to be designated as community health centers  
19 under independent licensure.

20 “community health center under hospital licensure”, a clinic  
21 which provides comprehensive ambulatory services: (a) is  
22 licensed as an outpatient clinic by the Massachusetts department

23 of public health pursuant to section 51 of chapter 111 of the  
24 General Laws; (b) meets the qualifications for certification by the  
25 division of medical assistance and enters into a provider agree-  
26 ment pursuant to 130 CMR 410.000; and (c) for which said parent  
27 hospital has a formal written relationship with a not-for-profit cor-  
28 poration, the board of which meets the requirements of the sub-  
29 sections (i) and (ii) of section 330(j)(3)(H) of the Public Health  
30 Service Act; (d) notwithstanding the above, clinics which do not  
31 meet the requirements of section (c) above, but which were desig-  
32 nated as “community health centers” by both the division of med-  
33 ical assistance and the department of public health prior to  
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35 nity health centers under hospital licensure.





